

By the Committee on Community Affairs; and Senator Gruters

578-03100-25

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A bill to be entitled

An act relating to certified recovery residences; amending s. 397.487, F.S.; providing that certain recovery residences are deemed a nontransient residential use of land for a specified purpose; prohibiting a local law, ordinance, or regulation from prohibiting or regulating a recovery residence in a multifamily structure; requiring a county or a municipality to allow certain certified recovery residences in specified zoned districts without the need to obtain changes in certain zoning or land use; specifying the allowable use of such certified recovery residences; authorizing a municipality or a county to deny the establishment of a certified Level IV recovery residence if the proposed use is adjacent to, or on two or more sides of, a parcel zoned for a specified use and within a certain single-family residential development; defining the term "adjacent to"; providing applicability; amending s. 397.4871, F.S.; providing that the personnel-to-resident ratio for a certified recovery residence must be met only when the residents are at the residence; providing that a certified recovery residence administrator for Level IV certified recovery residences which maintains a specified personnel-to-patient ratio has a limitation on the number of residents it may manage; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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Section 1. Subsection (15) is added to section 397.487, Florida Statutes, to read:

397.487 Voluntary certification of recovery residences.—

(15) (a) A certified recovery residence that does not occupy a community or structure that is governed by a condominium association under chapter 718, or which fully occupies a community or structure that is governed by a condominium association under chapter 718, is deemed a nontransient residential use for purposes of all local zoning ordinances. A local law, ordinance, or regulation may not prohibit certified recovery residences or regulate the duration or frequency of use of a certified recovery residence in a multifamily structure.

(b) A municipality or county shall allow the establishment of a certified recovery residence in all districts zoned multifamily residential and shall allow a structure originally constructed and permitted for multifamily purposes to be used as a certified recovery residence, allowing up to two residents per bedroom, without obtaining a zoning or a land use change, a special exception, a conditional use approval, a variance, or a comprehensive plan amendment for the zoning and densities authorized under this subsection.

(c) A municipality or a county may deny the establishment of a Level IV certified recovery residence if the proposed use is adjacent to, or on two or more sides of, a parcel zoned for single-family residential use and is within a single-family residential development with at least 25 contiguous single-family homes. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point

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of a property line, but the term does not include properties separated by a public road.

(d) This subsection applies to certified recovery residence providers that were voluntarily certified by the credentialing entity pursuant to this section on or before July 1, 2025.

Section 2. Paragraph (c) of subsection (8) of section 397.4871, Florida Statutes, is amended to read:

397.4871 Recovery residence administrator certification.—

(8)

(c) Notwithstanding paragraph (b), a Level IV certified recovery residence operating as community housing as defined in s. 397.311(9), which residence is actively managed by a certified recovery residence administrator approved for 100 residents under this section and is wholly owned or controlled by a licensed service provider, may:

1. Actively manage up to 150 residents so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at the residence ~~24 hours a day, 7 days a week,~~ with a personnel-to-resident ratio of 1 to 10.

2. Actively manage up to 500 residents, so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at the residence with a personnel-to-resident ratio of 1 to 6.

A certified recovery residence administrator who has been removed by a certified recovery residence due to termination,

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88 resignation, or any other reason may not continue to actively  
89 manage more than 50 residents for another service provider or  
90 certified recovery residence without being approved by the  
91 credentialing entity.

92 Section 3. This act shall take effect July 1, 2025.